

862.1922



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Yuichi HIGUCHI, et al.)
Application No.: 08/909,966)
Filed: August 12, 1997)
For: PRINTING APPARATUS AND)
ITS CONTROL METHOD)
Examiner: D. Tran
Group Art Unit: 2724
March 17, 1999

The Assistant Commissioner for Patents
Washington, D.C. 20231

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Group 2700

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is in response to the Office Action dated February 17, 1999, in the above-referenced application, in which the Examiner requires restriction to one of the following groups of claims:

- I. Claims 1-5, 10-14 and 19;
- II) Claims 6-9, 15-18 and 20;
- III) Claims 21-37; and
- IV) Claims 38-50.

The Examiner contends that the inventions of Groups I-IV are distinct, apparently because they are related as sub-combinations disclosed as usable together in a single

combination, and each has separate utility and have acquired a separate "consideration and search." These contentions are respectfully traversed.

Applicants note that the inventions of Groups I-IV are so closely related in the field of print processing that a proper search of any of the claims would, of necessity, require a search of the others. Thus, it is submitted that all of the claims can be searched simultaneously, and that a duplicative search, with possibly inconsistent results, may occur if the restriction requirement is maintained.

It is submitted that any nominal burden placed upon the Examiner to search an additional subclass or two, necessary to determine the art relevant to Applicants' overall invention, is significantly outweighed by the public interest in not having to obtain and study several patents to in order to have available all of the issued patent claims covering Applicants' invention. The alternative is to proceed with the filing of multiple applications, each consisting of generally the same disclosure, and each being subjected to essentially the same search, perhaps by different Examiners on different occasions. This places unnecessary on both the Patent and Trademark Office and on Applicants.

In the interest of economy, for the Office, for the public at large and for Applicants, reconsideration and withdrawal of the restriction requirement are requested.

Nevertheless, pursuant to the provisions of 37 CFR 1.143, Applicants provisionally elect, with traverse, to prosecute claims 1-5, 10-14 and 19 (Group I).

Applicants submit that the instant application is in condition for allowance, and request favorable consideration and an early passage to issue.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to the below-listed address.

Respectfully submitted,



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